

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

STEVEN RASNIC, *et al.*,

Plaintiff,

vs.

CITY OF ST. LOUIS, *et al.*,

Defendants.

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Case No. 4:22-cv-00843-MTS


**MEMORANDUM AND ORDER**

This case is before the Court on review of the file. Plaintiffs have not filed proof of service of Defendant Jane Doe or of Defendant John Doe. Pursuant to Federal Rule of Civil Procedure 4(m), if a defendant is not served within ninety days after the complaint is filed, the Court “must dismiss the action without prejudice against that defendant” or “order that service be made within a specified time.” Fed. R. Civ. P. 4(m). In cases removed to federal court, the ninety-day period under Rule 4(m) begins to run on the date of removal, not the date the plaintiff filed the petition in state court. *Taylor v. Clark Equip. Co.*, 4:22-cv-00201-SRC, 2022 WL 1640372, at \*6 (E.D. Mo. May 24, 2022) (collecting cases). Defendant City of St. Louis removed this case ninety days ago. Since service to the Doe Defendants has not been completed, the Court will order that service be made within a specified time.

Accordingly,

**IT IS HEREBY ORDERED** that, no later than **Friday, November 18, 2022**, Plaintiffs must serve all unserved Defendants and file proof of such service. The failure to file proof of service of the remaining Defendants by **Friday, November 18, 2022**, will result in dismissal of the action against those Defendants without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

Dated this 10th day of November, 2022.

  
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MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE